

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HERMENEJILDO TEPI, on behalf of himself and
others similarly situated,

Plaintiff,

-against-

THE CITY BAKERY, LLC, THE CITY BAKERY,
INC., and MAURY RUBIN,

Defendants.

Civil Case No.: 18-cv-2233

JOINT STIPULATION FOR
DISMISSAL WITH PREJUDICE

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/4/19

WHEREAS, on March 13, 2018, Plaintiff filed a complaint, which asserted claims for, *inter alia*, unpaid overtime compensation under the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.* ("FLSA"), and the New York Labor Law;

WHEREAS, although commenced as a putative collective action under the FLSA, Plaintiff did not seek certification and no individuals received notice of this action;

WHEREAS, the parties settled this action based upon arms-length negotiations, the terms of which have been judicially reviewed and are deemed fair and reasonable, and are incorporated herein by reference; and

WHEREAS, the United States District Court for the Southern District of New York shall retain jurisdiction over all proceedings solely to enforce the terms of the settlement between the parties in this action;

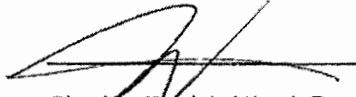
IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the Plaintiff and Defendants that this action is hereby dismissed and discontinued in its entirety with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Dated: January 31, 2019

Dated: January 28, 2019

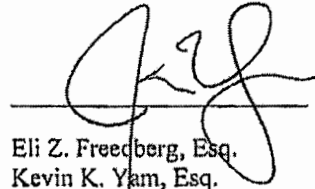
CILENTI & COOPER, PLLC

LITTLER MENDELSON, P.C.



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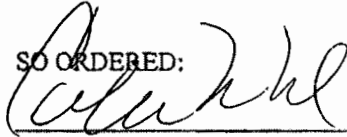
Attorneys for Plaintiff



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Attorneys for Defendants

SO ORDERED:



4 February 2019